MR. K. P. NILAKANTA PILLAI: May I know who is the authority, in ordinary cases, to give such lands on Kuthakapattom and to decide whether such lands should be given on Kuthakapattom or not?

PRESIDENT: Will the member please define what he means by the word 'ordinary'?

MR. K. P. NILAKANTA PILLAI: I want to know who, according to the Regulations and Rules regarding the working of the Land Revenue Department, is the authority competent to deal with such questions as lands being given on Kuthakapattom?

MR. K. GEORGE: Ordinary cases of Kuthakapattom are dealt with and disposed of by the officers of the department. Important cases like the one now in question go up to Government.

MR. K. P. NILAKANTA PILLAI: What are the special features in this case which make it important enough to be disposed of only by Government and not by the officers of the department who are empowered to deal with such cases?

MR. K. GEORGE: Government received a petition, an application from the lessee.

MR. K. P. NILAKANTA PILLAI: Am I to understand that applications to Government, by lessees, would divest Tahsildars and Dewan Peishkars of their powers to deal with such cases?

MR. K. GEORGE: The powers of these officers are always subject to the powers of Government.

MR. K. P. NILAKANTA PILLAI: May I know whether the Government can supersede the authority of these officers without consulting them?

MR. K. GEORGE: Certainly they can.

PRESIDENT: It is the *prerogative* of Government, as they call it.

Certain details re: the Kuthakapattom lease granted to Mr. R. S. Subrahmanya Pillai.

38. *MR. P. PADMANABHAN TAMPI: Will the Government be pleased to state:

(*a*) the amount of the Kuthakapattom lease fixed on Survey No. 5473, a tank-bed in A Division, Neendakara pakuthi, granted to Mr. R. S. Subrahmanya Pillai;

(*b*) the extent and the nature of the said survey number and the nature of the cultivation made thereon after the grant of the lease, and the amount of the annual yield that the lessee now gets therefrom;

(*c*) whether the lessee is using Kodayar water for cultivation and whether the lease imposes the water cess on this leasehold;

(*d*) under what head of receipt of the Kodayar Project the above lease amount is credited;

(*e*) if the water cess is not imposed on the abovesaid land and the lease amount is not credited under the Kodayar Project item, whether it is not against the declared policy of Government;

LIBRARY ARCHIVES Kerala Legislative Assembly

(*f*) whether the Government, on the recommendations of the Minor Irrigation Committee, passed an order, dated 3rd September 1930, (R. Dis. 871 of 30 Rev.,) that tank-beds would not be disposed of by way of registry, auction or lease to any private individual till the final disposal of the Irrigation Committee report ; and

(*g*) whether there was in existence any circumstance for the grant of the lease which induced the Government to make the departure contemplated in the abovesaid order and, if so, what was the special circumstance ?

MR. K. GEORGE : (*a*) An annual *pattom* of Rs. 253-10-11.

(*b*) The total extent of this Survey number is 37 acres and 51 cents. This was originally a tank poramboke, out of which an extent of 31 acres and 9½ cents was converted into *tharisu* in 1103. The area covered by the lease is only 27 acres and 36½ cents. The major portion of the area leased out is cultivated with paddy and the rest is garden land. The lessee may, by proper cultivation, get an annual income of Rs. 1,000 excluding the lease amount fixed for the land.

(*c*) Kodayar water is being used for cultivation. No separate water cess is being levied from the lessee except the annual *pattom* fixed.

(*d*) The lease amount is credited under Land Revenue-Kuthakapattom I A (ii) (*a*).

(*e*) Water cess is usually levied only on registered lands and not on Government lands leased on Kuthakapattom.

(*f*) Yes.

(*g*) The area covered by the lease was sanctioned by Government to be disposed of in auction and it was, for that purpose, converted into *tharisu* in 1103. The land was put up to auction thrice, but the sales were not confirmed owing to the low bids secured, and it was ordered that a fresh auction need not be held, until the economic condition of the ryots improves. In the meantime, Government thought it advantageous to lease out the area on Kuthakapattom, as that would enable them to secure some amount every year by way of rent.

MR. K. P. NILAKANTA PILLAI : May I know, Sir, whether the land involving the lease in question contains only that portion which has been converted into *tharisu* and does not include any portion which is not converted into *tharisu* ?

MR. K. GEORGE : The answer is there. Only *tharisu*.

MR. K. P. NILAKANTA PILLAI : May I know from the member whether the conditions of the lease enable the lessee now to effect improvements on the lands ?

MR. K. GEORGE : The lessee cannot make permanent improvements on the land. He can make only such improvements as are required for cultivation and no value of improvements will be given to the lessee.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. K. P. NILAKANTA PILLAI: May I know from the member whether in regard to the garden portion of the land covered by this lease the attention of Government has been drawn to the fact that it has been planted by cocoanut palms?

MR. K. GEORGE: I claim notice.

Agreement executed by Mr. R. S. Subrahmanya Pillai re: the Kuthakapattom lease granted to him.

39. *MR. P. PADMANABHAN TAMPI: Will the Government be pleased to state whether Mr. R. S. Subrahmanya Pillai has executed the agreement as contemplated in the rules and whether the grant of the lease on Survey No. 5473, a tank-bed in A Division, Neendakara pakuthi, was brought to the notice of the Government as contemplated in the order dated 3rd September 1930 (R. Dis. 871 of 30/Rev.) when the lease agreement was executed, and whether they will lay a copy of the agreement on the table?

MR. K. GEORGE: Yes. The Government were aware of the G. O. referred to by the member, when the agreement was executed. A copy of the agreement is laid on the table.

Copy of the agreement executed by Mr. R. S. Subrahmanya Pillai.

മുദ്രവില രൂപാ ന്യ.

ഫ ഫ ഠ വ-ാമാണ്ടു കുംഭമാസം ഛ-ാന- തിരുവിതാംകൂർ സക്കാരിലേക്കു വേണ്ടി അഗസ്തീശ്വരം താലൂക്കു തഹശീൽദാർ അവർകൾപേക്ക് കല്ലുളം താലൂക്കു കല്ലുളം പകുതിയിൽ പത്മനാഭപുരം കോട്ടയ്ക്കകത്തു ബംഗ്ലാവീട്ടിൽ മക്കവഴി വെള്ളാളൻ കൃഷി കണക്കു ശിവതാണുപിള്ള മകൻ ന.ർ വയസ്സുള്ള സുബ്രഹ്മണ്യപിള്ള എഴുതിക്കൊടുത്ത കുത്തകപ്പാട്ട ഉടമ്പടിയാവിതു (ഫ) താഴെ ഏ. പട്ടികയിൽ പറയുന്ന വസ്തുവിനെ ഫ ഫ ഠ വ-ാമാണ്ടു ചിങ്ങമാസം മുതൽ ഫ ഫ ഫ ഒ-ാമാണ്ടു കർക്കടകമാസം അവസാനംവരെ പത്തു കൊല്ലത്തേക്കു കുത്തകപ്പാട്ടത്തിനു ഏർപ്പാടുചെയ്തതിനായി ഗവണ്മെൻറിൽനിന്നും ഫ ൻ.ഛ ഫ് ബ്രുവരിമാസം ഫന്യ ാന- ഉണ്ടായ ഡിസ്സ് ഛ ഠ ഫ/ന.ഛ-ാംനമ്പരിലും അതിനെ തുടർന്നു ഫ ൻ.ഛ മാച്ച് ഛന്യ-ാന- ഉണ്ടായ ഡിസ്സ് ന.വന്യ/ന.ഛ-ാംനമ്പരിലും വീണ്ടും ഫ ൻ.ഛ ജൂൺ ന.ഠ-ാന- ഉണ്ടായ ഡിസ്സ് ഫ ഠ ന.ർ/ന.ഛ-ാംനമ്പരിലും വീണ്ടും ഫ ൻ.ഛ ഡ/സംബർ ഛന-ാന- ഉണ്ടായ ഡിസ്സ് ഛ ഠ ഭ ഠ/ന.ഛ റവന്യൂനമ്പരിലും വന്നിട്ടുള്ള ഉത്തരവുകൾ അനുസരിച്ചു ആണ്ടൊന്നുക്കു ഛ ഭ.ന സക്കാർരൂപാ ഫ ഠ ചക്രം ഫ ഫ കാശു വീതം പാട്ടം തരുന്നതിനു ഞാൻ ഏല്പ്പിട്ടുകയും ചെയ്തിട്ടുള്ളതനുസരിച്ചു ഒരാണ്ടത്തെ പാട്ടത്തുകയായ ഛ ഭ.ന സക്കാർരൂപാ ഫ ഠ ചക്രം

LIBRARY ARCHIVES Kerala Legislative Assembly